

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

JLL CONSULTANTS, INC., TRUSTEE
OF BUFFETS HOLDINGS, INC. ET
AL. LITIGATION TRUST,

Plaintiff,

v.

CAXTON-ISEMAN CAPITAL, INC.,
CAXTON-ISEMAN INVESTMENTS,
L.P., CAXTON ASSOCIATES LP
F/K/A CAXTON ASSOCIATES, L.L.C.
F/K/A CAXTON CORPORATION,
CxCIC, LLC, CI CAPITAL
PARTNERS, LLC f/k/a CAXTON-
ISEMAN CAPITAL, LLC,
FREDERICK J. ISEMAN, SENTINEL
CAPITAL PARTNERS, L.L.C.,
SENTINEL CAPITAL PARTNERS II,
L.P., AND ROE H. HATLEN,

Defendants.

Case No. 10-1195 ADM/JSM

**NOTICE OF DISMISSAL
WITH PREJUDICE**

PLEASE TAKE NOTICE THAT pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), plaintiff hereby dismisses the above-captioned action with prejudice. The parties will bear their own costs and attorneys' fees. The entry of this Notice disposes of the entire case.

Moss & Barnett, P.A.

By: s/ Kristin B. Heebner

Thomas J. Shroyer (#100638)

Kristin B. Heebner (#331235)

4800 Wells Fargo Center

90 South Seventh Street

Minneapolis, MN 55402

Telephone: (612) 877-5000

heebnerk@moss-barnett.com

Dated: September 30, 2010

ATTORNEYS FOR PLAINTIFF

OF COUNSEL:

BRACEWELL & GIULIANI LLP

J. Clifford Gunter III

Ross D. Kennedy

Ralph D. McBride

Bradley J. Benoit

Kristin A. McLaurin

711 Louisiana Street, Suite 2300

Houston, Texas 77002

Telephone: (713) 221-1236

ATTORNEYS FOR PLAINTIFF